

REMARKS

This response accompanies a Request for Continued Examination, together with a Petition to Revive, as this application was unintentionally abandoned due to a docketing error when responsibility for the case was transferred to the undersigned from other counsel of record.

Claims 1 and 3-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Croslin, further in view of Beurket et al. Claim 2 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Croslin, further in view of Beurket et al. and Guenther et al. Claims 5-7 were rejected "for similar reasons."

Respectfully, the Examiner's continued reliance on Croslin is misplaced. Accordingly, these rejections are traversed.

There is a fundamental aspect of the present invention that is missing from Croslin. As will be discussed below, in pertinent part, the present invention uses physical probing of physical devices on a network to generate relevant data; the portions of Croslin relied upon by the Examiner involve software-driven analysis of a database table that allegedly illustrates a set of physical telecommunications links. Thus, in the present invention, a relevant method step calls for physical acts to take place over a physical network; at most, Croslin simply teaches analyzing a "representation" of a physical network, not performing the relevant tests on the physical network itself.

Moreover, the reference is not even analogous art that can support an obviousness rejection. Stated another way, one of ordinary skill in the art concerned with the problem of "generat[ing] an optimized set of proxy points in a local name server address space" (claim 1), "generating a network map to be used in routing and user local name server requests to a set of content provider mirror sites" (claim 5), or "generating a network map useful for determining which of a set of mirror sites should receive a request" would not look to a reference a how to restore voice/data links in a telecommunications network following a network outage, which is the subject matter in Croslin.

Croslin describes a centralized restoration system 200 that runs a real time restoration process 208. The process 208 reads and writes data from a restoration database 212. This data includes a series of tables that represent the network topology and are used to develop the

restoration routes. As described in Figure 5, there are a series of steps performed to generate a restoral route for a given impacted trunk of the telecommunications network. Initially, an "intersection table" is build that identifies instances where a sub-route that originates from a given "lefthand" node intersects (i.e. shares at least one common node) with a sub-route that originates from a "righthand" node. A lefthand node is one that lies to the left of the network outage and a righthand node is one that lies to the right of the network outage. According to the patent, the lefthand node is "folded out" to identify from the sub-route table all nodes that are end nodes from a sub-route that begins from the node being folded out.

The written description of the present invention relates to a technique for generating a network map for a user-base of the Internet. Instead of probing each local name server that is connectable to a mirrored data center, however, the network map identifies connectivity with respect to a much smaller set of points, referred to in the application as "core" or "common" points. Each set of mirrored data centers preferably has an associated map that identifies a set of core points. In one embodiment, the core points are identified using an incremental trace route that is executed (i.e., run) from each of the set of mirrored data centers to a local name server. This is a real test carried out on a real network, not simply a software instruction executed against a database representation, as in Croslin. An intersection of the trace routes at a common routing point is then identified. The core point discovery process is illustrated in Figure 3. The trace routes are between data centers and local name servers. The core points are the intersection point of a trace route or near or substantially near the intersection point.

Unlike the present invention, Croslin does not locate intersection points utilizing trace routes performed on the Internet. Croslin builds sub-route tables based upon nodes identified by topology data. Points are identified from these database tables, and not from a trace route that is actually performed in a network being mapped.

To further clarify the physical nature of the method step at issue (as compared to the software-implemented database table analysis in Croslin), claim 1 has been amended to reflect that the trace route is executed "from" a given pair of data centers. (Note that this language was believed to have been implicit in the original language given the original "from each data center to a given local name server" clause). Claim 5 has been amended in a similar manner. Claim 7

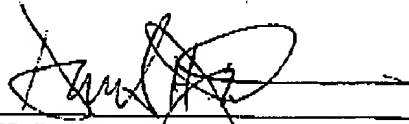
has not been amended in this manner, as it already includes a physical "probing" step that is neither disclosed nor suggested by the software steps in Croslin.

In addition, in considering Croslin, it should be noted that each of the pending claims concern testing an actual network with respect to an Internet "name server." Claim 1 emphasizes this, e.g. by reference to "a local name server address space" and executing trace routes "to a given local name server." Likewise, claim 5 refers to "end user local name server requests" in the preamble and requires that the routes are physically traced from each mirror site "to the local name server." Claim 7 has been amended to clarify that the "client request" is a "client name server request," and this claim also states that the routes being run intersect at a "given name server." Croslin, which concerns a voice/data telecommunications network, says nothing about Internet name servers, name server address space maps, name server locations, trace routing to name servers, or the like. These "name server" limitations in each claim are meaningful and are neither disclosed nor suggested in Croslin.

The secondary references do not make up for the deficiencies in Croslin.

Accordingly, all claims should now be considered allowable, and a notice to that effect is respectfully requested.

Respectfully submitted,



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